

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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SOFTWARE FREEDOM CONSERVANCY, INC. and	:
ERIK ANDERSEN,	:
	:
	: ECF CASE
	:
Plaintiffs,	:
-against-	: 09-CV-10155 (SAS)
	:
BEST BUY CO., INC., SAMSUNG ELECTRONICS	:
AMERICA, INC., WESTINGHOUSE DIGITAL	:
ELECTRONICS, LLC, JVC AMERICAS	:
CORPORATION, WESTERN DIGITAL	: DECLARATION OF
TECHNOLOGIES, INC., ROBERT BOSCH LLC,	: ERIK ANDERSEN
PHOEBE MICRO, INC., HUMAX USA INC.,	:
COMTREND CORPORATION, DOBBS-STANFORD	:
CORPORATION, VERSA TECHNOLOGY INC.,	:
ZYXEL COMMUNICATIONS INC., ASTAK INC.,	:
and GCI TECHNOLOGIES CORPORATION,	:
	:
Defendants.	:
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I, Erik Andersen, pursuant to 28 U.S.C. 1746, declare as follows:

1. I am a named plaintiff in this action and reside in Springville, Utah. I offer this declaration in support of plaintiffs' motion for default judgment, or in the alternative, summary judgment against defendant Westinghouse Digital Electronics, LLC ("Westinghouse").
2. I am a computer programmer and have for many years written and distributed computer software in a professional capacity.
3. Beginning in about November 1999, I wrote software for inclusion in a open

source computer program known as BusyBox. I allowed my contributions to be included in the BusyBox project, but retained all ownership of the the copyrights therein. Over the years, the BusyBox project came to include many of my contributions.

4. I registered my copyright in the new and revised computer source code written by me that was included in BusyBox version 0.60.3, which was first published on April 27, 2002. Annexed hereto as Exhibit 1 is a true copy of "BusyBox, v.0.60.3.", Copyright Reg. No. TX0006869051 (10/2/2008).
5. I allow my contributions to the BusyBox project to be copied, modified and redistributed by others under certain terms. Specifically, I license the copyright in my contributions under the terms of a well known open source software license called the "GNU General Public License, Version 2" ("GPLv2"). Annexed hereto as Exhibit 2 is a true copy of GPLv2. I do not allow my contributions to be copied, modified or distributed under any other terms.

I declare under penalty of perjury that the forgoing is true and correct.



Erik Andersen

Executed on June 01, 2010